

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Vernon M. Williams

Serial No.: 09/511,986

Filed: February 24, 2000

For: STEREOLITHOGRAPHICALLY
FABRICATED CONDUCTIVE
ELEMENTS, SEMICONDUCTOR DEVICE
COMPONENTS AND ASSEMBLIES
INCLUDING SUCH CONDUCTIVE
ELEMENTS, AND METHODS

Confirmation No.: 6129

Examiner: O. Nadav

Group Art Unit: 2811

Attorney Docket No.: 2269-4208US

NOTICE OF EXPRESS MAILING

Express Mail Mailing Label Number: EL 994826225 US

Date of Deposit with USPS: February 9, 2005

Person making Deposit: Chris Haughton

**PETITION TO SUSPEND THE RULES
UNDER 37 C.F.R. 1.183**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Petition to Suspend the Rules is being filed pursuant to 37 C.F.R. § 1.183 with the fee set forth in 37 C.F.R. § 1.17(h).

This Petition is being filed because, following the filing of an Appeal Brief on September 24, 2004, the Examiner that has been assigned to the above-referenced application reopened prosecution to assert new grounds for rejecting the pending claims, then issued a

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non-final Office Action. A three-month shortened statutory period was set for filing a response to the Office Action.

While such action was permissible under 37 C.F.R. § 1.193(b)(2), that rule was removed on September 13, 2004. The new rules (*see* 37 C.F.R. § 41.39) do not allow for an Examiner to reopen prosecution following the filing of an Appeal Brief. Instead, the Examiner is supposed to assert new grounds of rejection in an Examiner's Answer. 37 C.F.R. § 41.39(a)(2). It is then the applicant's decision whether to respond to the new grounds of rejection in a reply brief or to reopen prosecution. Under the new rules, a reply brief must be filed within two months of the date on which the Examiner's Answer was mailed. 37 C.F.R. § 41.41(a)(1). This period cannot be extended. 37 C.F.R. § 41.41(c).

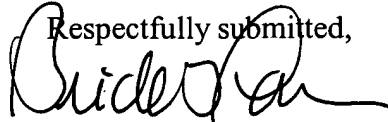
Applicants relied upon the three-month shortened statutory period for responding to an Office Action, rather than the two-month period that would have been observed had an Examiner's Answer been mailed in accordance with the new rules.

It is, therefore, respectfully requested that the new rules relating to the filing of reply briefs and the time limits for filing reply briefs be suspended, and that the Supplemental Appeal Brief filed herewith be entered into the Office file for the above-referenced application.

Enclosed is a check in the sum of \$130.00 for the fee associated with this petition. Applicants understand that no additional fees are required. However, if the Office determines that any additional fees are required, the Commissioner is authorized to charge any such fees to TraskBritt Deposit Account No. 20-1469.

Serial No. 09/511,986

A copy of this Transmittal Letter is enclosed for deposit account charging purposes.

Respectfully submitted,


Brick G. Power

Registration No. 38,581

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Date: February 9, 2005

BGP/rmh:dd

Document in ProLaw